UNITED
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Security Council

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GENERAL

S/23323
26 December 1991
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 26 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF ALGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to enclose a document relating to Algeria's position following the publication of the Secretary-General's report on the situation concerning Western Sahara (S/23299 of 19 December 1991).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Dr. Messaoud AIT CHAALAL
Ambassador
Permanent Representative

Annex

Algeria has taken note of the report issued by the Secretary-General of the United Nations on 19 December 1991 concerning the question of Western Sahara in the context of the implementation of the United Nations plan for the holding of a referendum for self-determination of the people of Western Sahara.

As a State designated by the United Nations, along with the Islamic Republic of Mauritania, as an observer of the process of settlement of the question of Western Sahara, Algeria wishes to state its position regarding the issuance of this document, as follows:

First: In the context of a joint mission of good offices by the current Chairman of the Organization of African Unity (OAU) and the Secretary-General of the United Nations under a mandate from the General Assembly of the United Nations, and following very lengthy discussions, the two parties to the conflict, the Kingdom of Morocco and the Frente POLISARIO, formally accepted proposals for the settlement of this question.

By its resolution 658 (1990) of 27 June 1990, the Security Council approved the content of these proposals. By adopting its resolution 690 (1991) of 27 April 1991, the Security Council confirmed this formula for a settlement and released resources for its implementation through the United Nations Mission for the referendum in Western Sahara (MINURSO).

In so doing, the Security Council set the seal of its authority on the plan for the referendum for self-determination of the people of Western Sahara, a plan which is explicit in its provisions, precise in its implementation timetable and engages the authority and prestige of the United Nations in respect of compliance with and implementation of the plan.

It should be emphasized that at all stages of the drawing up of the settlement plan, the two parties were systematically consulted and their formal consent was requested and obtained by the Secretary-General of the United Nations.

Second: This peace plan, which has won extremely wide support within the international community, has unfortunately become bogged down because of many difficulties and obstacles with which the authority of the United Nations and the personnel of MINURSO have been confronted.

Third: This situation has naturally given rise to serious concern on the part of the States Members of the United Nations, and of international public opinion. Algeria has on several occasions associated itself with this concern, particularly through approaches to the Secretary-General of the United Nations, the two parties to the conflict and the members of the Security Council calling for urgent action to safeguard the peace operation in Western Sahara.

Regrettably, the situation has continued to deteriorate, and has led to the unfortunate resignation of Mr. Johannes Manz, Special Representative of the Secretary-General for Western Sahara.

Fourth: By accepting the peace proposals received in 1988 and Security Council resolutions 658 (1990) and 690 (1991), the two parties had explicitly taken cognizance of and accepted that the 1974 census would be the reference point and base for identifying the Saharans who should participate in the referendum for self-determination.

To introduce new elements without the prior consent of the two parties would be incompatible with the spirit and the letter of the various Security Council resolutions and risk calling in question the process of settlement of the conflict in Western Sahara as initially conceived by the United Nations and accepted by the parties, and could thus definitively compromise the considerable efforts that have been made by the international community over a number of years to bring peace to the region.

Guided by its attachment to the principles on the basis of which the United Nations was established, and motivated by its strong desire for the restoration of peace and stability in the Maghreb, to the benefit of all its peoples and of Maghreb unity, Algeria has worked sincerely for the advent of an early, peaceful, just and lasting solution to the conflict in Western Sahara. In this context, it has been unstinting in its support for the good offices of the United Nations and OAU for the settlement of this question, as well as for MINURSO in the context of the mandate assigned to that Mission.

The great merit of Security Council resolutions 658 (1990) and 690 (1991) is to have drawn the lessons from a conflict which has already been going on for 16 years by endorsing a settlement plan which won the support of the two parties to the conflict, without whose cooperation no real solution can be envisaged.

Accordingly, Algeria is convinced that the Security Council will be able to preserve the chances of implementing an early, peaceful, just and lasting solution to the conflict in Western Sahara which is so earnestly desired by the entire international community, and in particular by the peoples of the Maghreb.

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S/23324
27 December 1991
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NOTE VERBALE DATED 23 DECEMBER 1991 FROM THE PERMANENT MISSION OF OMAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Sultanate of Oman to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the latter's note No. SCPC/8/91(1) dated 16 December 1991 has the honour to transmit herewith the response of the Government of the Sultanate of Oman concerning the measures it has instituted to meet the obligations set out in paragraph 6 of Security Council resolution 713 (1991) of 25 September 1991.

91-42425 2835f (E)

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NATIONS

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Security Council

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S/23325
27 December 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 27 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Japan to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note SCPC/8/91 dated 16 December 1991, has the honour to convey the following information regarding the measures instituted by the Government of Japan to meet its obligations set out in paragraph 6 of Security Council resolution 713 (1991) to implement an embargo on arms deliveries to Yugoslavia.

Based on its three principles on arms exports, adopted in 1967, and its policy guidelines on arms exports, in effect since 1976, the Government of Japan adheres to a very strict position on the export of arms and equipment related to the production of arms. Accordingly, it does not sanction such exports to Yugoslavia, or to virtually the entire region. As its policies are already in conformity with the obligations set out in Security Council resolution 713 (1991), paragraph 6, the Government of Japan is not instituting additional measures.

91-42473 2948d (E)

UNITED
NATIONS

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Security Council

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S/23326
27 December 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 27 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Turkey to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to his note SCPC/8/91(1) dated 16 December 1991, has the honour to inform him that the Turkish Government has taken the necessary measures to implement paragraph 6 of Security Council resolution 713 (1991).

No deliveries of weapons or military equipment have been made to Yugoslavia by the public or the private sector in Turkey, either prior to or following the adoption of Security Council resolution 713 (1991).

91-42479 2902j (E)

UNITED
NATIONS

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Security Council

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GENERAL

S/23327
27 December 1991

ORIGINAL: ENGLISH

LETTER DATED 27 DECEMBER 1991 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF CANADA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

In accordance with paragraph 5 (a) of Security Council resolution 724 (1991) the Government of Canada wishes to report to the Secretary-General on measures taken to meet the obligations of paragraph 6 of resolution 713 (1991), obligations fully endorsed by Canada.

Under authority of the Export and Import Permits Act the Secretary of State for External Affairs has, from 25 June 1991, denied permits for the export of military goods. Permits issued before that date have been suspended retroactively.

I should be grateful if you could have this letter circulated as a document of the Security Council.

(Signed) Philippe KIRSCH, Q.C.
Chargé d'affaires a.i.

91-42485 2837f (E)

UNITED
NATIONS

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General Assembly Security Council

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A/47/59
S/23328
30 December 1991
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-seventh session
ADMISSION OF NEW MEMBERS
TO THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 26 December 1991 from the Acting Chargé d'affaires of the Mission of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to transmit to Your Excellency, on the instructions of the Government of Costa Rica, a communiqué issued on 23 December 1991 concerning the extraordinary events that have transformed the Union of Soviet Socialist Republics into a community of independent States (see annex).

I request you to have this note and the attached communiqué circulated as a document of the General Assembly under agenda item 20 and of the Security Council.

(Signed) José María BORBON
Ambassador
Chargé d'affaires, a.i.

ANNEX

Communiqué from the Government of Costa Rica
issued on 23 December 1991

The Government of Costa Rica expresses its satisfaction at the establishment, on 21 December 1991, of the community of independent States consisting of the majority of the Republics which made up the Union of Soviet Socialist Republics.

The Government of Costa Rica announces its decision to recognize the Russian Federation as successor State to the Union of Soviet Socialist Republics and to recognize, as sovereign and independent States, the Republics of Russia, Belarus, Ukraine and all the other new sovereign and independent Republics: Armenia, Azerbaijan, Georgia, Kazakhstan, Kirgizia, Moldavia, Turkmenistan and Uzbekistan. It also announces its intention to establish diplomatic and consular relations with those Republics as soon as possible.

Lastly, Costa Rica wishes to stress the invaluable role played by His Excellency Mr. Mikhail Gorbachev, whose desire for peace and democracy and whose bold leadership were decisive factors in ending the cold war and bringing about the emergence of a new model of international relations based on cooperation and coordination.

UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/47/60
S/23329
30 December 1991
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Forty-seventh session
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY
HUMAN RIGHTS QUESTIONS
UNITED NATIONS DECADE OF INTERNATIONAL LAW
REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION
DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBOURLINESS BETWEEN STATES

SECURITY COUNCIL
Forty-sixth year

Letter dated 27 December 1991 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to transmit:

(a) The Protocol to the Agreement establishing the Commonwealth of Independent States signed at Minsk on 8 December 1991 by the Republic of Belarus, the Russian Federation (RSFSR) and Ukraine (annex I);

(b) The Alma Ata Declaration (annex II);

(c) The minutes of the meeting of Heads of Independent States (annex III);

(d) The Agreement on coordinating bodies of the Commonwealth of Independent States (annex IV);

(e) A decision by the Council of Heads of State of the Commonwealth of Independent States (annex V);

(f) The Agreement on joint measures with respect to nuclear weapons (annex VI);

(g) A statement by the delegation of the Republic of Belarus (annex VII).

I should be grateful if you would have the text of this letter and its annexes circulated as an official document of the General Assembly, under the agenda items entitled "Review of the implementation of the Declaration on the Strengthening of International Security", "Human rights questions", "United Nations Decade of International Law", "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" and "Development and strengthening of good-neighbourliness between States", and of the Security Council.

(Signed) Guennadi BURAVKIN
Ambassador
Permanent Representative of
the Republic of Belarus to
the United Nations

Annex I

Protocol to the Agreement establishing the Commonwealth of Independent States signed at Minsk on 8 December 1991 by the Republic of Belarus, the Russian Federation (RSFSR) and Ukraine

The Republic of Azerbaijan, the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Moldova, the Russian Federation (RSFSR), the Republic of Tajikistan, Turkmenistan, the Republic of Uzbekistan and Ukraine, on an equitable basis and as High Contracting Parties, shall constitute the Commonwealth of Independent States.

The Agreement establishing the Commonwealth of Independent States shall enter into force for each of the High Contracting Parties from the moment of its ratification.

On the basis of the Agreement establishing the Commonwealth of Independent States, and taking into account the reservations made on the occasion of its ratification, documents shall be drawn up regulating cooperation within the framework of the Commonwealth.

The present Protocol forms an integral part of the Agreement establishing the Commonwealth of Independent States.

DONE at Alma Ata on 21 December 1991 in one copy in the Azerbaijani, Armenian, Belarusian, Kazakh, Kyrgyz, Moldavian, Russian, Tajik, Turkmen, Uzbek and Ukrainian languages, all texts being equally authentic. The authentic copy shall be deposited in the archives of the Government of the Republic of Belarus, which shall transmit to the High Contracting Parties a certified copy of the present Protocol.

For the Republic of Azerbaijan A. Mutalibov	For the Republic of Armenia L. Ter-Petrosyan	For the Republic of Belarus S. Shushkevich
For the Republic of Kazakhstan N. Nazarbaev	For the Republic of Kyrgyzstan A. Akaev	For the Republic of Moldova M. Snegur
For the Russian Federation (RSFSR) B. Yeltsin	For the Republic of Tajikistan R. Nabiev	For Turkmenistan S. Niyazov
For the Republic of Uzbekistan I. Karimov	For Ukraine L. Kravchuk	

Alma Ata, 21 December 1991

Annex II

Alma Ata Declaration

The Independent States,

The Republic of Azerbaijan, the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Moldova, the Russian Federation (RSFSR), the Republic of Tajikistan, Turkmenistan, the Republic of Uzbekistan and Ukraine,

Desirous of setting up lawfully constituted democratic States, the relations between which will be developed on the basis of mutual recognition of and respect for State sovereignty and sovereign equality, the inalienable right to self-determination, the principles of equality and non-intervention in internal affairs, abstention from the use of force and the threat of force and from economic or any other methods of bringing pressure to bear, peaceful settlement of disputes, respect for human rights and freedoms including the rights of national minorities, conscientious discharge of obligations and the other universally acknowledged principles and norms of international law,

Recognizing and respecting each other's territorial integrity and the inviolability of existing borders,

Considering that the strengthening of the existing deep historical roots of the relations of friendship, good-neighbourliness and mutually advantageous cooperation is in the vital interest of peoples and serves the cause of peace and security,

Aware of their responsibility for maintaining civil order and harmony among the nationalities,

Faithful to the purposes and principles of the Agreement on the establishment of the Commonwealth of Independent States,

Declare that:

Cooperation between the parties in the Commonwealth shall be conducted in accordance with the principle of equality through coordinating bodies constituted on a basis of parity and operating under a procedure to be determined by agreements between the parties in the Commonwealth, which is neither a State nor a supra-State entity.

For purposes of ensuring international strategic stability and security, unified command of strategic military forces and joint control over nuclear weapons will be maintained; the parties will respect each other's efforts to achieve the status of a nuclear-free and/or neutral State.

The Commonwealth of Independent States is open, with the consent of all its participants, to accession by other States members of the former Union of Soviet Socialist Republics, and also by other States sharing the purposes and principles of the Commonwealth.

The attachment to cooperation in the establishment and development of a common European space and Europe-wide and Eurasian markets is confirmed.

With the establishment of the Commonwealth of Independent States, the Union of Soviet Socialist Republics ceases to exist.

The States participating in the Commonwealth guarantee in accordance with their constitutional procedures the discharge of the international obligations deriving from treaties and agreements concluded by the former Union of Soviet Socialist Republics.

The States participating in the Commonwealth undertake to comply strictly with the principles of the present Declaration.

For the Republic of Azerbaijan
A. Mutalibov

For the Republic of Armenia
L. Ter-Petrosyan

For the Republic of Belarus
S. Shushkevich

For the Republic of Kazakhstan
N. Nazarbaev

For the Republic of Kyrgyzstan
A. Akaev

For the Republic of Moldova
M. Snegur

For the Russian Federation (RSFSR)
B. Yeltsin

For the Republic of Tajikistan
R. Nabiev

For Turkmenistan
S. Niyazov

For the Republic of Uzbekistan
I. Karimov

For Ukraine
L. Kravchuk

Alma Ata, 21 December 1991

Annex III

Minutes of the meeting of Heads of Independent States

On the basis of the provision embodied in the Agreement on the establishment of the Commonwealth of Independent States and the Alma Ata Declaration relating to the maintenance under unified command of the common strategic military space and to joint control over nuclear weapons, the High Contracting Parties have agreed as follows:

Pending the resolution of the issue of restructuring of the Armed Forces, command of the Armed Forces shall be assigned to Marshal E. I. Shaposhnikov.

Proposals regarding this issue shall be submitted by 30 December 1991 for consideration by the Heads of State.

For the Republic of Azerbaijan A. Mutalibov	For the Republic of Armenia L. Ter-Petrosyan	For the Republic of Belarus S. Shushkevich
For the Republic of Kazakhstan N. Nazarbaev	For the Republic of Kyrgyzstan A. Akaev	For the Republic of Moldova M. Snegur
For the Russian Federation (RSFSR) B. Yeltsin	For the Republic of Tajikistan R. Nabiev	For Turkmenistan S. Niyazov
For the Republic of Uzbekistan I. Karimov	For Ukraine L. Kravchuk	

Alma Ata, 21 December 1991

Annex IV

Agreement on coordinating bodies of the Commonwealth of Independent States

1. To deal with the issues associated with coordination of the activity of the States of the Commonwealth in the sphere of common interests, a supreme organ of the Commonwealth, the Council of Heads of State, shall be established, as well as a Council of Heads of Government.

2. The plenipotentiary representatives of the States of the Commonwealth are instructed to submit by 30 December 1991 for consideration by the Council of Heads of State proposals regarding the abolition of the structures of the former Union of Soviet Socialist Republics, and also regarding the coordinating bodies of the Commonwealth.

For the Republic of Azerbaijan
A. Mutalibov

For the Republic of Armenia
L. Ter-Petrosyan

For the Republic of Belarus
S. Shushkevich

For the Republic of Kazakhstan
N. Nazarbaev

For the Republic of Kyrgyzstan
A. Akaev

For the Republic of Moldova
M. Snegur

For the Russian Federation (RSFSR)
B. Yeltsin

For the Republic of Tajikistan
R. Nabiev

For Turkmenistan
S. Niyazov

For the Republic of Uzbekistan
I. Karimov

For Ukraine
L. Kravchuk

Alma Ata, 21 December 1991

Annex V

Decision by the Council of Heads of State of the Commonwealth of Independent States

The States participating in the Commonwealth, referring to article 12 of the Agreement establishing the Commonwealth of Independent States,

Proceeding from the intention of each State to discharge the obligations under the Charter of the United Nations and to participate in the work of that Organization as full Members,

Bearing in mind that the Republic of Belarus, the Union of Soviet Socialist Republics and Ukraine were founder Members of the United Nations,

Expressing satisfaction that the Republic of Belarus and Ukraine continue to participate in the United Nations as sovereign independent States,

Resolved to promote the strengthening of international peace and security on the basis of the Charter of the United Nations in the interests of their peoples and of the entire international community,

Have decided that:

1. The States of the Commonwealth support Russia's continuance of the membership of the Union of Soviet Socialist Republics in the United Nations, including permanent membership of the Security Council, and other international organizations.

2. The Republic of Belarus, the RFSFR and Ukraine will extend their support to the other States of the Commonwealth in resolving issues of their full membership in the United Nations and other international organizations.

DONE at Alma Ata on 21 December 1991 in one copy in the Azerbaijani, Armenian, Belarusian, Kazakh, Kyrgyz, Moldavian, Russian, Tajik, Turkmen, Uzbek and Ukrainian languages, all texts being equally authentic. The authentic copy shall be deposited in the archives of the Government of the Republic of Belarus, which shall transmit to the High Contracting Parties a certified copy of the present Protocol.

For the Republic of Azerbaijan A. Mutalibov	For the Republic of Armenia L. Ter-Petrosyan	For the Republic of Belarus S. Shushkevich
For the Republic of Kazakhstan N. Nazarbaev	For the Republic of Kyrgyzstan A. Akaev	For the Republic of Moldova M. Snegur
For the Russian Federation (RSFSR) B. Yeltsin	For the Republic of Tajikistan R. Nabiev	For Turkmenistan S. Niyazov
For the Republic of Uzbekistan I. Karimov	For Ukraine L. Kravchuk	

Alma Ata, 21 December 1991

Annex VI

Agreement on joint measures with respect to nuclear weapons

The Republic of Belarus, the Republic of Kazakhstan, the Russian Federation (RSFSR) and Ukraine, hereinafter referred to as "the participating States",

Confirming their commitment to the non-proliferation of nuclear weapons,

Aspiring to the elimination of all nuclear weapons,

Desirous of promoting the strengthening of international stability,

Have agreed as follows:

Article 1

The nuclear weapons with which the Joint Strategic Armed Forces are equipped safeguard the collective security of all participants in the Commonwealth of Independent States.

Article 2

The participating States in the present Agreement confirm the obligation relating to the non-first-use of nuclear weapons.

Article 3

The participating States in the present Agreement shall jointly develop a policy on nuclear issues.

Article 4

Pending the complete elimination of nuclear weapons from the territories of the Republic of Belarus and Ukraine, the decision regarding the need to use such weapons shall be taken with the consent of the Heads of the participating States of the Agreement by the President of the RSFSR on the basis of procedures drawn up jointly by the participating States.

Article 5

1. The Republic of Belarus and Ukraine undertake to accede to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear States and to conclude with IAEA the corresponding safeguards agreement.

2. The participating States in the present Agreement undertake not to transfer to any party whatsoever nuclear weapons or other nuclear explosive devices in technology, or control, either direct or indirect, over such weapons and explosive devices, and not in any way to assist, encourage or incite any State not possessing nuclear weapons to produce or acquire by any other means nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices.

3. The provisions of paragraph 2 of this article shall not prevent the transfer of nuclear weapons from the territory of the Republic of Belarus, the Republic of Kazakhzstan and Ukraine to the territory of the RSFSR for the purpose of their destruction.

Article 6

The participating States of the present Agreement shall in conformity with the international Treaty promote the elimination of nuclear weapons. By 1 July 1992 the Republic of Belarus, the Republic of Kazakhstan and Ukraine shall ensure the withdrawal of tactical nuclear weapons to central bases adjacent to the manufacturing plants for dismantling under joint control.

Article 7

The Governments of the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation (RSFSR) and Ukraine undertake to submit the Treaty on the Reduction and Elimination of Strategic Offensive Arms to the Supreme Soviets of their States for ratification.

Article 8

This Agreement is subject to ratification. It shall enter into force 30 days after deposit of all the instruments of ratification with the Government of the RSFSR.

DONE at Alma Ata in one authentic copy in the Belarussian, Kazakh, Russian and Ukrainian languages, all texts being equally authentic.

For the Republic of Belarus	For the Republic of Kazakhstan	For the Russian Federation (RSFSR)	For Ukraine
S. Shushkevich	N. Nazarbaev	B. Yeltsin	L. Kravchuk

Annex VII

Statement by the delegation of the Republic of Belarus

The delegation of the Republic of Belarus considers that in the process of establishing the Commonwealth of Independent States, all the States must abide strictly by the following principles:

1. Observance of the human rights set forth in the Universal Declaration of Human Rights and other universally accepted international legal instruments, and observance of the rights of national minorities.

2. Resolution of all disputes exclusively by peaceful means through negotiations.

Accordingly, the delegation of the Republic of Belarus considers that membership in the Commonwealth of Independent States may be maintained only on condition of strict compliance with the above principles.

(Signed) S. Shushkevich
President of the Supreme Soviet
of the Republic of Belarus

Adopted unanimously at the high-level meeting of countries participating in the Commonwealth of Independent States at Alma Ata on 21 December 1991 as an official document of the Commonwealth.

UNITED
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Security Council

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S/23330
30 December 1991

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming its resolutions 621 (1988), 658 (1990) and 690 (1991),

Having considered the report of the Secretary-General on the situation concerning Western Sahara (S/23299),

Noting with concern the difficulties and delays encountered in the implementation of the Settlement Plan regarding the question of Western Sahara, as adopted by resolutions 658 (1990) and 690 (1991),

1. Approves the efforts of the Secretary-General for the organization and the supervision, by the United Nations in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara and therefore welcomes the report of the Secretary-General on the situation concerning Western Sahara (S/23299);

2. Reiterates its support for further efforts by the Secretary-General for the organization and the supervision, by the United Nations in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara in conformity with resolutions 658 (1990) and 690 (1991) by which the Council adopted the Settlement Plan for Western Sahara;

3. Calls upon the two parties to cooperate fully with the Secretary-General in the implementation of his Settlement Plan, which has been accepted by them;

4. Invites the Secretary-General to submit a further report to the Security Council as soon as possible but in any event within two months of the date of passage of this resolution.

91-42778 4104Z (E)

UNITED
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Security Council

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S/23331
30 December 1991

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON CAMBODIA

1. In resolution 717 (1991) adopted on 16 October 1991, the Security Council decided to establish, under its authority, a United Nations Advance Mission in Cambodia (UNAMIC). It further decided that UNAMIC should be deployed immediately after the signing of the Agreements on a Comprehensive Political Settlement of the Cambodia conflict, in accordance with the recommendations contained in my report S/23097 of 30 September 1991.

2. The Agreements on a Comprehensive Political Settlement of the Cambodia Conflict were signed in Paris on 23 October 1991. In resolution 718 (1991) adopted on 31 October, the Security Council noted that the Agreements provided for the establishment of a United Nations Transitional Authority in Cambodia (UNTAC). It expressed its full support for the Agreements and requested the Secretary-General to submit, at the earliest possible date, a report containing his plan for implementing the mandate envisaged in the Agreements, on the understanding that this report would be the basis on which the Council would authorize the establishment of UNTAC.

3. On 14 November 1991, I reported to the Council (S/23218) that UNAMIC had begun to discharge its functions and that its deployment was expected to be completed by mid-December. The mandate of UNAMIC provides, inter alia, for the establishment of a mine-awareness programme which is to be implemented by small teams of military personnel with experience in training civilian populations on how to avoid injuries from mines or booby-traps. Initially, the teams are to give priority to populations living in or close to areas of recent military confrontation. In due course, this initial programme is to be expanded into those foreseen in the Paris Agreements, giving priority, in consultation with the United Nations High Commissioner for Refugees (UNHCR), to repatriation routes, reception centres and resettlement areas.

4. In this connection, annex 1, section C, pararaph 1 (e), of the Paris Agreements provides that UNTAC would undertake, among other measures, "assisting with clearing mines and undertaking training programmes in mine clearance and a mine-awareness programme among the Cambodia people". 1/

5. Annex 2, article IX, of the same Agreements provides that:

"1. Soon after arrival in Cambodia, the military component of UNTAC shall ensure, as a first step, that all known minefields are clearly marked.

"2. The Parties agree that, after completion of the regroupment and cantonment processes in accordance with Article III of the present annex, they will make available mine-clearing teams which, under the supervision and control of UNTAC military personnel, will leave the cantonment areas in order to assist in removing, disarming or deactivating remaining unexploded ordnance devices. Those mines or objects which cannot be removed, disarmed or deactivated will be clearly marked in acordance with a system to be devised by the military component of UNTAC.

"3. UNTAC shall:

"(a) Conduct a mass public education programme in the recognition and avoidance of explosive devices;

"(b) Train Cambodian volunteers to dispose of unexploded ordnance devices;

"(c) Provide emergency first-aid training to Cambodian volunteers." 2/

6. Since the adoption of the Paris Agreements and the entry into force of a formal cease-fire, there has been a growing sense in the international community of the need to undertake, on an urgent basis, a major de-mining effort in Cambodia. It has been suggested that such an effort should begin even before the establishment of UNTAC, so as to take advantage of the present dry season and to prepare the ground for the safe and orderly repatriation of Cambodian refugees and displaced persons under United Nations auspices.

7. I have accordingly decided to recommend to the Security Council that the mandate of UNAMIC be expanded to include training in mine clearance and the initiation of a de-mining programme. These activities would be undertaken on the following basis: the existing UNAMIC mine-awareness programme would immediately be developed to include training of Cambodian personnel in mine detection and mine clearance; for this purpose the strength of the existing unit would be increased with additional expert personnel contributed by Member States. Concurrently, a de-mining programme would be initiated by a specialized military unit provided by a Member State on an urgent basis, with a view to taking maximum advantage of the present dry season. This programme would be concentrated in the northwestern part of Cambodia and would give priority, in consultation with UNHCR, to repatriation routes, reception centres and areas where refugees and displaced persons will be resettled. The programme would also incude an engineering (construction) component, to repair the roads which have been cleared of mines and to ensure that the roads and bridges to be used by returnees are safe and able to sustain the expected increase in the volume of traffic.

8. As members of the Security Council are aware, I recently despatched a military survey mission to Cambodia in order to prepare a plan for implementing the mandate envisaged for the military component of UNTAC in the Paris Agreements. The mission, which was led by my Military Adviser, Major-General Timothy K. Dibuama, has advised me, in the light of the information provided by the Cambodian parties and of its discussions with a UNHCR mission which was currently in Cambodia to identify possible resettlement areas, that, in order to undertake the mine training and de-mining tasks described above, UNAMIC would need:

(a) A planning and liaison unit at its headquarters in Phnom Penh. This unit would liaise with the National Mine Clearance Commission recently established by the Supreme National Council of Cambodia, as well as with UNHCR, other international organizations, Governments and non-governmental organizations concerned, in order to gather all available information on land mines in Cambodia and facilitate the marking of all known minefields as a matter of urgency. The proposed unit would develop a training programme for Cambodians in the fields of mine-detection and mine-clearance. It would also elaborate plans for de-mining activities, determine the priorities for their execution and allocate the work to be undertaken by de-mining units;

(b) A field engineer battalion to initiate the mine-clearing of repatriation routes, reception centres and resettlement areas, and to carry out emergency repair and rehabilitation work of roads and bridges which had been cleared of mines. First priority would be given to those roads that are to be used by the first group of returnees;

(c) Expert training teams to train Cambodian military personnel, who would be made available by the four Cambodian parties, to participate under supervision of UNAMIC in the mine-clearing of repatriation routes, reception centres and resettlement areas;

(d) Logistic support personnel to meet the second line transport and fuel requirements of the engineer unit and the mine-clearing training teams and to provide the necessary communications support.

9. It is estimated that approximately 40 military personnel would be required for the planning and liaison unit at UNAMIC headquarters. The engineer unit would need a total strength of about 700. The expert training and supervisory teams would require about 200 all ranks. About 150 logistic support personnel would be required. These military personnel, totalling approximately 1,000, would be provided by Member States. The engineer unit would need to be an integrated unit with all the equipment required for its activities. It has to be emphasized, however, that, in Cambodia's present devastated condition, the movement of the engineer unit and its heavier equipment to its place of operation in Cambodia would give rise to formidable difficulties. It would also be necessary for the unit concerned to enjoy a very high level of self-sufficiency in supply, shelter, transport and communications.

10. I shall submit as soon as possible, as an addendum to the present report, a statement of the financial and administrative implications of the proposed expansion of UNAMIC's mandate. Meanwhile, it is my duty to inform the Security Council that, in view of the present financial situation of the Organization, it will not be possible to undertake the activities proposed in this report until the necessary cash resources become available.

11. It is generally recognized that a major de-mining effort is needed in Cambodia. While the total eradication of mines will necessarily be a long-term endeavour, the initial programme recommended in this report should be undertaken on an urgent basis, in order to make an early start to tackle this problem before the beginning of the rainy season in May. This would enable UNAMIC to reduce the threat posed by mines to the civilian population and to begin to prepare the ground for a safe and orderly repatriation of the refugees and displaced persons under United Nations auspices. It would also facilitate the timely deployment of UNTAC and the discharge of its responsibilities throughout Cambodia.

Notes

1/ See A/46/608.

2/ Ibid.

UNITED
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Security Council

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S/23332
30 December 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 DECEMBER 1991 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government and with reference to the letter from the Permanent Representative of Kuwait of 20 December 1991 (S/23303), I wish to point out that this communication is full of errors and exaggerations and distorts the facts as reported in the weekly report of the Secretary-General on the United Nations Iraq-Kuwait Observation Mission for the period 25 November to 1 December 1991. Here are the details of these errors:

1. First, 2 December was not a Saturday.

2. The incident mentioned in the letter from the Permanent Representative of Kuwait was fully explained in the above-mentioned report of the Secretary-General, in which it may be noted that on 2 November 1991, a Kuwaiti patrol consisting of about 12 soldiers and travelling in four armoured vehicles of the M-16 and G-3 types crossed the cease-fire line and captured 12 Iraqi police officers, including a captain, seizing their vehicle while they were travelling towards the Talhah and Ratgah guard posts to deliver monthly wages, food and supplies to the personnel of those posts. Moreover, the Kuwaiti patrol confiscated the pistols of the Iraqi police officers with their ammunition and other equipment as well as an amount of $20,321 Iraqi dinars.

As usual the Kuwaiti side, on the day of the above-mentioned incident, committed more than one violation. The Kuwaiti patrol penetrated into the interior of the Iraqi territory, imprisoned members of the Iraqi police and seized their equipment. Moreover, this patrol carried prohibited weapons into the no-mans land. These actions, which demonstrate the Kuwaiti side's contempt for Security Council resolutions, in spite of its proclaimed commitment to those resolutions, constitute a flagrant violation of the report of the Secretary-General concerning the implementation of paragraph 5 of Security Council resolution 687 (1991) (S/22454).

In clarifying the events which occurred on 2 November 1991, we call on you to take up this matter with the Kuwaiti side and to take the necessary steps to ensure the return of the Iraqi vehicle, the weapons of the police

officers and the wages of the personnel of the guard posts, which have still not been returned to Iraq.

I should be grateful if you would have the text of this letter circulated as a Security Council document.

(Signed) Sabah Talat KADRAT
Deputy Permanent Representative,
Chargé d'affaires a.i.

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Security Council

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GENERAL

S/23333
30 December 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 30 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Australia to the United Nations, in reference to the Secretary-General's note of 16 December 1991, in which the Secretary-General drew attention to Security Council resolution 724 (1991), and specifically to paragraph 5 of the resolution, has the honour to inform the Secretary-General as follows.

Australia has complied with its obligations in relation to paragraph 6 of resolution 713 (1991), to which paragraph 5 of resolution 724 (1991) refers, through the administration of existing Australian legislation and regulations relating to the export from Australia of defence and defence-related goods.

The Australian Government maintains general controls on the export from Australia of defence and defence-related goods through provisions of the Customs Act 1901 and associated Customs (Prohibited Exports) Regulations. These controls are administered by the Minister for Defence, and goods requiring the Minister's permission are specified in schedule 13 of the Customs (Prohibited Exports) Regulations. Australian government policy, as specified in government guidelines published in 1989, is to prohibit the export of defence and defence-related goods to certain destinations including "to countries against which the United Nations Security Council has imposed a mandatory arms embargo, or which are employing armed forces in a manner contrary to a resolution of the United Nations Security Council, or contrary to the provisions of international instruments to which Australia is a party". Since Security Council resolution 713 (1991) imposes an arms embargo on Yugoslavia, under the policy of the Australian Government exports of defence and related goods to Yugoslavia are prohibited.

The Australian Government also maintains specific controls over the export to all destinations of nuclear and related goods, toxicological agents of a biological, chemical or radioactive nature designed or adapted for warfare, and associated production and dissemination equipment, and chemical weapons precursors through the Customs Act and the Customs (Prohibited Exports) Regulations. These controls would prevent the export of the foregoing items from Australia to Yugoslavia.

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S/23334
31 December 1991

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REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE REPRESENTATIVES AND DEPUTY AND ALTERNATE REPRESENTATIVES OF THE MEMBERS OF THE SECURITY COUNCIL ELECTED FOR THE PERIOD 1992-1993

At its 32nd meeting, on 16 October 1991, the General Assembly elected Cape Verde, Hungary, Japan, Morocco and Venezuela as non-permanent members of the Security Council for a term of two years, beginning on 1 January 1992.

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that, with regard to the representation of the members of the Security Council elected for the period 1992-1993, he has received the communications referred to hereunder.

Cape Verde. Credentials signed on 22 October 1991 by the Minister for Foreign Affairs of Cape Verde stating that Mr. José Luis Jesus has been appointed representative of Cape Verde on the Security Council, Mr. José Eduardo Barbosa deputy representative and Mr. José A. F. Duarte and Mr. Carlos Pereira alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Hungary. Credentials signed on 1 November 1991 by the Minister for Foreign Affairs of Hungary stating that Mr. André Erdós has been appointed representative of Hungary on the Security Council, Mr. Iván Budai deputy representative and Mr. Zoltán Szedlacskó and Mr. László Molnár alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Japan. Credentials signed on 19 November 1991 by the Minister for Foreign Affairs of Japan stating that Mr. Yoshio Hatano has been appointed representative of Japan on the Security Council, Mr. Katsumi Sezaki deputy representative and Mr. Takashi Kiya and Mr. Toshinori Shigeie alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Morocco. Credentials signed on 4 December 1991 by the Minister of State in charge of Foreign Affairs and Cooperation of Morocco stating that Mr. Ahmed Snoussi has been appointed representative of Morocco on the Security Council, Mr. Mohamed Benjelloun Touimi deputy representative and Mr. Abdelouahab Bellouki and Miss Raja Ghannam alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Venezuela. Credentials signed on 20 November 1991 by the Minister for Foreign Affairs of Venezuela stating that Mr. Diego Arria has been appointed representative, and Mr. Victor Rodríguez deputy representative.

In the opinion of the Secretary-General, these credentials are in order.

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General Assembly Security Council

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S/23335
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GENERAL ASSEMBLY
Forty-seventh session
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-sixth year

Letter dated 28 December 1991 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of a statement on Cambodia by the five Permanent Members of the Security Council, issued at New York on Saturday, 28 December 1991 (see annex).

On behalf of my colleagues, the other Permanent Members, I should be grateful if you would have this text ciculated as a document of the forty-seventh session of the General Assembly, under the item entitled "The situation in Cambodia", and of the Security Council.

(Signed) Jean-Bernard MERIMEE

ANNEX

Statement of the Five on Cambodia, issued on 28 December 1991

The Five permanent members of the Security Council highly appreciate the efforts being made by His Royal Highness Samdech Preah Norodom Sihanouk, Head of State and President of the Supreme National Council of Cambodia, to assure progress towards peace in Cambodia. In particular, they took note with satisfaction that the SNC Secretariat has become operational under the personal leadership of H.R.H. Samdech Preah Norodom Sihanouk and that the Mixed Military Working Group has begun to take shape.

The Five welcome and support the statement made by H.R.H. Samdech Preah Norodom Sihanouk concerning the convening of an SNC meeting before the end of the current year, as well as his declaration, dated 27 December 1991, on measures to be taken in order to consolidate and expedite the peace process in Cambodia.

They appeal to all Cambodian parties to contribute to the development of the process of national reconciliation and the maintenance of peace, by strictly respecting all agreements, including those related to assuring all necessary conditions for the normal functioning of the SNC in Phnom Penh.